

**5859. Adulteration and misbranding of elixir iron, quinine and strychnine; and chloroform liniment. U. S. \* \* \* v. Charles H. Franzoni (Gilman's Drug Store). Plea of guilty. Fine, \$40. (F. & D. No. 8409. I. S. Nos. 2606-m, 3820-m.)**

On September 26, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District, an information against Charles H. Franzoni, trading as Gilman's Drug Store, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on February 8, 1917, and January 10, 1917, quantities of articles labeled in part "Elixir Iron, Quinine and Strychnine," and "Chloroform Liniment," respectively, which were adulterated and misbranded.

Analysis of a sample of the "Elixir iron, quinine and strychnine" by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	30.04
Alkaloids, total (anhydrous) (gram per 100 cc)-----	0.492
Iron (as Fe.) (gram per 100 cc)-----	0.229
Phosphates (as phosphoric anhydrid) (gram per 100 cc)---	0.242
Glycerin-----	None.
Sucrose (grams per 100 cc)-----	18.26

Adulteration of the elixir iron, quinine and strychnine was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said National Formulary official at the time of the investigation of the said article, in that in 1,000 mils of the article there was quinine, equivalent to 5.74 grams of quinine hydrochlorid, whereas said National Formulary provides that in 1,000 mils of the article there shall be 8.750 grams of quinine hydrochlorid; and in that in 1,000 mils of the article there was approximately 182.6 grams of sugar, which is not mentioned as an ingredient of elixir of iron, quinine, and strychnine in the said National Formulary; and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged for the reason that the statement borne on the label attached to the bottle regarding the article and the ingredients and substances contained therein, to wit, "Alcohol 25% \* \* \* each teaspoonful contains half grain quinine alkaloid, 1 grain Iron Pyrophosphate," was false and misleading in that it represented that the article contained 25 per cent of alcohol and that each teaspoonful contained one-half grain of quinine alkaloid and one grain of iron pyrophosphate, whereas, in truth and in fact, it did not, but contained 30 per cent of alcohol, and each teaspoonful contained approximately 0.27 grain of quinine alkaloid and 1.3 grains of iron pyrophosphate; and the standard of the strength, quality, and purity of the article was not declared on the container thereof; and for the further reason that the article contained alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol contained thereon.

Analysis of a sample of the chloroform liniment by the said Bureau of Chemistry showed the following results:

Alcohol (per cent by volume)-----	53.8
Chloroform (grams per 100 cc)-----	8.16
(minims per fluid ounce)-----	26.4

Adulteration of the chloroform liniment was alleged for the reason that it was sold under and by the name recognized in the United States Pharmacopœia

and differed from the (standard of) strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia official at the time of investigation of the article, in that in 1,000 mls of the article there were 55 mls of chloroform, whereas the said Pharmacopœia provides that in 1,000 mls of the article there shall be 300 mls of chloroform; and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged for the reason that the statement borne on the label attached to the bottle containing the article regarding it and the ingredients and substances contained therein, to wit, "144 Minims Chloroform to ounce," was false and misleading in that it represented that the article contained 144 minims of chloroform to the ounce, whereas, in truth and in fact, it did not contain 144 minims of chloroform to the ounce, but contained a less amount, to wit, 26.4 minims to the ounce.

On September 26, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

CARL VROOMAN, *Acting Secretary of Agriculture.*